GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:796
ANSWERED ON:05.12.2003
REVIEW OF RAPE LAW
PAWAN KUMAR BANSAL;SURESH RAMRAO JADHAV (PATIL)

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether attention of the Government has been drawn to the news item appearing in the `Hindustan Times` dated the October 18, 2003 captioned `The definition of rape is part of the problem`;

(b) if so, whether the Government propose to review the rape laws covered under Section 375 and 376 of the Indian Penal Code; and

(c) if so, the steps taken by the Government to remove inadequacies in the law and also to widen the definition of rape in order to include all forms of sexual abuse in the law?

Answer

MINISTER OF LAW & JUSTICE AND COMMERCE & INDUSTRY (SHRI ARUN JAITLEY)

(a): Yes, Sir.

(b)&(c): The Law Commission in its 172nd Report on `Review of Rape Laws` has recommended changes for widening scope of the offence in section 375 and to make it gender neutral. Various other changes have been recommended in sections 376 and 376A to 376D and insertion of a new section 376E dealing with unlawful sexual contact, deletion of section 377 IPC and enhancement of punishment in section 509 of IPC.

State Governments have been requested for their views on the recommendations of the Law Commission of India as the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India.`